

# MEETING OF THE COMMON COUNCIL OF THE CITY OF RUSHVILLE, INDIANA

JULY 5, 2018

6:00 P.M.

**CALL TO ORDER:** The Common Council of the City of Rushville met on the above date and time at 270 West 15<sup>th</sup> Street, Rushville, Indiana. Council President Smith called the meeting to order at 6:00 p.m.

**PLEDGE TO THE FLAG:** The Pledge to the Flag was recited by those present.

**PRAYER:** Councilman Berkemeier led those present in prayer.

**ROLL CALL:** Bob Bridges, Brian Conner, Craig Smith, Brad Berkemeier, and Gary Cameron answered roll call. Also present was City Attorney, Tracy Newhouse.

**MINUTES:** Councilman Conner moved to approve the minutes of the June 19, 2018 meeting as presented. Councilman Berkemeier seconded the motion. Motion carried.

**MAYOR'S REPORT:** No report.

**CLERK-TREASURER'S REPORT:** No report.

**COUNCIL PRESIDENT'S REPORT:** Nothing to report.

## **COMMITTEE REPORTS:**

- **Stellar Designation** – No report.
- **Amphitheater/Park Board** – This Saturday the Louisville Crashers will be in concert. July 14<sup>th</sup> we will have Libations by the Levy.
- **Marketing** – Nothing new.
- **APC/BZA** – No report.
- **City Center** – Construction is moving forward.
- **Cherry Street Extension** – Nothing new to report.
- **Brownfield Grant** – Council President said we still have some money left for the project.
- **Housing** – Nothing new.

- **ECDC** – Councilman Berkemeier said we are working on a billboard campaign geared towards employment in this area.

**DEPARTMENT HEAD REPORTS: *Mayor Pavey arrived.***

**Police** – Chief Tucker said they have begun working on the roof. The firing range improvements are moving along.

**Fire** – Chief Jenkins said he is moving forward with preparations for the ambulance service for the center district. He has been conducting interviews and believes he will have hired the 7 employees he needs by tomorrow except for the part-time employees. They will hire 7 full time with 4 being medics and 3 firemen.

They have asked for several bids for painting the back room.

**Park** – Director Burklow informed Council that the pool pump went out again. Water was getting into the electrical. The cost was \$3,100.00. The box the pump sits in had a crack in it. It is now back in service. Burklow said he has been pricing pumps. There is a wide range in the pricing. He has budgeted for an extra pump for next year.

Friday, July 13<sup>th</sup> is movie night at the pool. Next week is summer camp.

**Animal** – Warden Cottrell informed Council that the intake for June was 95 animals. 15 were dogs and 80 were cats. Adoptions for June were 53 total. 25 were euthanized. In our care as of June 30 are 121 animals, 83 are cats and 38 dogs. Bridges asked if she could break down how many were City and how many were County. Cottrell said she thought she could. Smith said it would be nice to see those numbers monthly.

**CITIZEN CONCERNS/COMMENTS:** None.

**PLANNING AND ZONING:**

1. **Ordinance 2018-12 Amendment to Zoning Ordinance Notification Requirements Resolution 2018-06 Section M Administrative (Favorable Recommendation)** – Cameron moved to approve Ordinance 2018-12 amending notification requirements. Smith seconded the motion. Motion carried.
2. **Ordinance 2018-13 Amendment to Zoning Ordinance Maximum Lot Coverage Resolution 2018-07 Maximum Lot Coverage (Favorable Recommendation)** - This ordinance changes from 30% lot coverage to 60% lot coverage. Bridges moved to approve Ordinance 2018-13 amending the maximum lot coverage. Conner seconded the motion. Motion carried.
3. **Ordinance 2018-14 Amendment to Zoning Ordinance Single Family Residential District Resolution 2018-10 Amendment to R2 (Favorable Recommendation)** – Bridges moved

to approve Ordinance 2018-14 amending single family residential district to R2. Smith seconded the motion. Motion carried.

4. **Resolution 2018-11 Approve APC's Art Requirement within Corridor Overlay (Rushville Storage – Public Art)** – Smith moved to approve the APC's Resolution 2018-11. Conner seconded the motion. Motion carried.
5. **Resolution 2018-12 Approve APC's Front Façade within Corridor Overlay (Rush County Community Assistance)** - Conner moved to approve the APC's Resolution 2018-12. Berkemeier seconded the motion. Motion carried.

#### **UNFINISHED BUSINESS:**

1. **Annexation (Reddish-Estate July, Philpot)**

**Resolution 2018-9 Fiscal Plan 1547 N Spencer (Massa)** – Bridges moved to approve Resolution 2018-9. Smith seconded the motion. Motion carried.

Bridges moved to accept the introduction of Ordinance 2018-8 for Massa annexation of 1547 N Spencer Street. Cameron seconded the motion. Motion carried.

2. **Historic Commission and Preservation Ordinance** – Pavey said the maps area not yet completed.
3. **Honey Bee Ordinance** – This is being reviewed.
4. **Center District Ambulance Contract** – Discussed during Department Head reports.

Mayor Pavey said he received a thank you from Blue Ribbon Estates for the lights.

#### **NEW BUSINESS:**

1. **Street Retail (Pop-up Vendors)** - Mayor Pavey explained that there have been complaints regarding pop-up vendors. We had a vendor set up a tent to sell meat. This vendor has a permit from the health department. There has also been a minister spreading the word of God to troubled people with a bull horn. This has frightened some people. Chief Tucker suggested putting something in the ordinance regarding unfavorable behavior.

Mayor Pavey said we have 3 issues:

- a. We need to update our peddler ordinance. Tucker also suggested that we put something in the ordinance regarding undesirable behavior. If this is reported then the vendor would have to stop the business and would not receive a refund.
- b. We need to update our temporary business permit.
- c. The megaphone preacher expressed his right of religious freedom. Chief Tucker said they have received multiple complaints. Newhouse will review the noise ordinance.

Pavey said he needs to be sure that he is doing this at a reasonable time, place, and be cautious of the level of volume. Cameron suggested that Newhouse look further into the matter. Mayor Pavey said if he will suspend the megaphone for the time being that would be helpful since this seems to be causing the problem.

**CLAIMS AND MAY BANK RECONCILEMENT:** Smith made a motion to approve the claims as presented and the May 2018 bank reconciliation. Cameron seconded the motion. Motion carried.

**ITEMS NOT KNOWN IN ADVANCE:**

1. **Ordinance 2018-15 Amending EMS Fees** – Smith moved to approve Ordinance 2018-15. Berkemeier seconded the motion. Motion carried.
2. **Resolution 2018-14 County EMS Non-Reverting Fund** - Berkemeier moved to approve Resolution 2018-14. Smith seconded the motion. Motion carried.

**ADJOURN:** There was no further business to come before Council; Smith moved to adjourn. Berkemeier seconded the motion. The meeting adjourned at 7:30 p.m.